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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

BLENDI CUMANI, M.D., and)	
ROLAND SHEHU,)	
)	
Plaintiff,)	
)	
v.)	Case No. 23-CV-55-ABJ
)	
CHRIS QUEEN,)	
)	
Defendant.)	

**DEFENDANT'S NOTICE OF PLAINTIFFS' VIOLATION OF
ORDER ON DEFENDANT'S MOTION FOR SANCTIONS (ECF NO. 39)**

FOR HIS NOTICE AND STATUS UPDATE TO THE COURT, defendant Chris Queen,
in his individual capacity, submits the following:

1. This Court entered an Order on Defendant's Motion for Sanctions on April 4, 2024.
(ECF No. 39).

2. The Order states as follows:

Accordingly, Plaintiffs are **HEREBY ORDERED** to produce all
outstanding discovery within **14 BUSINESS DAYS** from the entry of this order.
See ECF No. 13; *see also* ECF No. 14.

IT IS FURTHER ORDERED, that if Plaintiffs fail to comply with the Court's outstanding discovery orders (ECF No. 13; ECF No. 14) and fail to sufficiently respond to Defendant's discovery requests on or by April 24, 2024, the Court will enter a subsequent order granting Defendant's *Motion for Sanctions* (ECF No. 15; *see* ECF No. 21).

IT IS FURTHER ORDERED, that if Plaintiffs fail to comply, the Defendant shall notify the Court through a filed status update. Upon notice, the Court shall strike Plaintiffs' claims for lost wages, lost income, and reputation and preclude Plaintiffs from introducing, attempting to introduce, or alluding to any documents and evidentiary materials with respect to their claims for lost wages, lost income, and reputation.

(*Id.* at 9) (emphasis in original).

3. Plaintiffs have violated the Order on Defendant's Motion for Sanctions.

4. Plaintiffs have not produced any responsive documents since the Order on Defendant's Motion for Sanctions was entered. Plaintiffs have produced no documents whatsoever since that time.

5. Plaintiffs have not produced all outstanding discovery.

6. Plaintiffs remain in violation of two prior discovery orders of the Court. (ECF Nos. 13 and 14).

7. In the Order on Defendant's Motion for Sanctions, the Court found that "the *Erenhaus* factors weigh heavily in favor of sanctions and this Court's evaluation of Plaintiffs' noncompliance suggests that Plaintiffs' discovery violations are serious enough to warrant dismissal." (ECF No. 39 at 9).

8. The Court elected to give Plaintiffs one final opportunity to remedy their discovery violations. (ECF No. 39 at 9).

9. Having refused the Court's accommodation, and violated the Order on Defendant's Motion for Sanctions, Plaintiffs have left the Court no choice but to enforce the Order in accordance with its terms.

10. In accordance with the terms of the Order on Defendant's Motion for Sanctions (ECF No. 39 at 9), the Court should enter an order granting Defendant's Motion for Sanctions at this time.

11. In accordance with the terms of the Order on Defendant's Motion for Sanctions (ECF No. 39 at 9), the Court should enter an order striking Plaintiffs' claims for lost wages, lost income, and reputation and preclude Plaintiffs from introducing, attempting to introduce, or alluding to any documents and evidentiary materials with respect to their claims for lost wages, lost income, and reputation.

WHEREFORE, defendant respectfully requests relief as set forth above pursuant to the order submitted herewith.

DATED this 25th day of April, 2024.

/s/ Timothy W. Miller

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CERTIFICATE OF SERVICE

I do hereby certify that on this 25th day of April, 2024, a true and correct copy of the foregoing **Defendant's Notice of Plaintiffs' Violation of Order on Defendant's Motion for Sanctions** was served as indicated below:

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[✓] CM/ECF

Attorney for Plaintiffs

/s/Kailie D. Harris

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